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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

NORTHWEST ENVIRONMENTAL
ADVOCATES, a non-profit corporation,

Civil No: 05-1876-HA

Plaintiff,

v.

**MEMORANDUM IN SUPPORT OF
JOINT MOTION FOR EXTENSION
OF DEADLINE TO FILE JOINT
STATUS REPORT**

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, a United States
Government Agency, NATIONAL MARINE
FISHERIES SERVICE, a part of the National
Oceanic and Atmospheric Administration, a part of
the United States Department of Commerce, and
UNITED STATES FISH AND WILDLIFE
SERVICE, a part of the United States Department
of the Interior,

Defendants, and

THE STATE OF OREGON, and NORTHWEST
PULP AND PAPER ASSOCIATION

Intervenor-Defendants.

MEMORANDUM IN SUPPORT OF JOINT MOTION FOR
EXTENSION OF DEADLINE TO FILE JOINT STATUS REPORT

On August 9, 2010, Federal Defendants filed a Motion for Voluntary Remand, with the briefing concluding on August 23, 2010. On August 31, 2010, the Court entered an Order that required the parties to file a Joint Status Report by September 15, 2010 regarding whether they can agree on conditions of a court-ordered remand. See Doc. No. 233. Plaintiff and Federal Defendants (together “Parties”) began conferring shortly after receiving the Court’s Order. The Court granted Parties’ motion to extend the time to file the Joint Motion to September 24, 2010. See Doc. No. 236. Plaintiff, Federal Defendants, and Intervenor-Defendants the State of Oregon and Northwest Pulp and Paper Association are currently involved in active discussions. During a September 10, 2010, conference call, Plaintiff presented Federal Defendants with a proposed framework for a conditional remand of the biological opinions. During a September 21, 2010, conference call, Federal Defendants responded to Plaintiff’s proposed framework. On September 24, 2010, Plaintiff sent Federal Defendants a letter memorializing the Parties’ prior communications and responding to Federal Defendants’ September 21st positions. Despite the active discussions between the Parties, they require additional time to continue those discussions. Accordingly, an extension of the September 24, 2010 deadline to October 8, 2010 is in the interest of the Parties and the Court so that additional time can be spent on determining whether an agreement can be reached.

For these reasons, Plaintiff and Federal Defendants respectfully request that the Court grant the Joint Motion for Extension of Time to File Joint Status Report (“Joint Motion”). Intervenor-Defendants do not oppose the Joint Motion.

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Dated this 24th day of September, 2010.

Respectfully submitted,

/s/ Allison LaPlante

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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2010, I caused a true copy of the foregoing to be served on each of the following counsel in the manner indicated below:

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